



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18643 - APPLICANT: NEVADA HAND, INC. - OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18642) and a Special Use Permit (SUP-19004) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site, if approved.

Public Works

3. Construct all incomplete half-street improvements including appropriate transitional paving on Deer Springs Way and Decatur Boulevard adjacent to the overall parcel of which this site is a part concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Las Vegas Wash – Decatur Boulevard (Centennial Parkway to Farm Road) project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the submittal of a map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the

City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

7. A minimum of two lanes of asphalt pavement on the major access street adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-E (Residence Estates) to R-3 (Medium Density Residential) on 9.39 acres at the southwest corner of North Decatur Boulevard and Deer Springs Way.

The proposed rezoning is considered appropriate for this location. The subject property was previously designated M (Medium Density Residential) through GPA-12847). This rezoning would bring the site into compliance with that land use designation. The proposed project associated with the rezoning is an assisted living apartment complex. The property is located on at a major intersection and development of this density and intensity is suitable for this location. Approval of this project is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/07/06	The City Council approved a General Plan Amendment (GPA-12847) to amend a portion of the Centennial Hills Sector Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) at this location. The Planning Commission and staff recommended approval.
01/25/07	The Planning Commission recommended approval of companion items SUP-19004 and SDR-18642 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #45/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this site.	
<i>Pre-Application Meeting</i>	
12/05/06	A pre-application meeting was held. Parking, landscaping, and residential adjacency requirements were noted. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this portion of the proposed project. It is noted that a neighborhood meeting was held on 04/18/06 at Lied Community School, 5340 Tropical Parkway. Details from this meeting are included in the staff report for General Plan Amendment (GPA-12847).	

Details of Application Request	
Site Area	
Gross Acres	9.45
Net Acres	9.39

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
North	Single-family residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential) R-PD6 (Residential Planned Development – 6 Units Per Acre)
South	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
East	Multi-family residential	City of North Las Vegas	City of North Las Vegas
West	Undeveloped	ML (Medium-Low Density Residential) Pf (Public Facilities)	R-E (Residence Estates) C-V (Civic)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2 Units Per Acre	18 Units
Proposed Zoning	Permitted Density	Units Allowed
R-3 (Medium Density Residential)	25.49 Units per Acre	239 Units
General Plan	Permitted Density	Units Allowed
M (Medium Density Residential)	25.49 Units Per Acre	239 Units

ANALYSIS

The applicant is requesting a change from an R-E (Residence Estates) District to an R-3 (Medium Density Residential) District. The proposed change would bring the site into conformance with the current General Plan Designation of M (Medium Density Residential) that was established through General Plan Amendment (GPA-12847).

The zoning change would permit overall density of 25.49 units per acre or in this case 239 units. The applicant is proposing to develop this project in phases. The first phase includes 90 units. Once fully developed the project shall not exceed 239 units or new Rezoning and General Plan Amendment requests would be required. The property is located on at a major intersection and development of this density and intensity is suitable for this location. The adjacent parcel to the west has also been designated by the Department of Public Works for future civic development. The proposed change in zoning is deemed appropriate and approval of this request is recommended.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The proposed rezoning is in conformance to the General Plan. The current General Plan Designation is M (Medium Density Residential) and was established through General Plan Amendment (GPA-12847).

2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."

The proposed use as an Assisted Living Apartment Complex is considered appropriate for this location. Development in the immediate vicinity is both residential and commercial. The adjacent residential development carries a ML (Medium Low Density Residential) land use designation.

3. "Growth and development factors in the community indicate the need for or appropriateness of the rezoning."

Growth and development factors in the community do indicate the appropriateness of this rezoning. The General Plan was previously changed to a more intensive land use designation. The proposed rezoning brings the site into compliance with that land use designation.

4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."

The site will gain access from Decatur Boulevard a 120-foot Parkway Arterial and Deer Springs Way an 80-foot Secondary Collector. These streets will provide adequate access to and from the subject property.

PLANNING COMMISSION ACTION

There were three speakers in opposition and one in favor at Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 490 by Planning Department

APPROVALS 1

PROTESTS 3